United Nations A/55/815

General Assembly

Distr.: General
1 March 2001

Original: English

Fifty-fifth session
Agenda item 153 (a)
Administrative and budgetary aspects of the financing of the United Nations peacekeeping operations: financing of the United Nations peacekeeping operations

Reform of the procedures for determining reimbursement to Member States for contingent-owned equipment

Report of the Secretary-General

Summary

In section II of its resolution 49/233 A of 23 December 1994, the General Assembly authorized the Secretary-General to proceed with the project plan and the time line for reform of the methodology and procedures for determining reimbursement to troop contributors for contingent-owned equipment, and decided that the last of the five phases required to undertake the task would involve a periodic review and update of the phase II and phase III standards to be completed on a triennial basis.

By its resolution 54/19 B of 15 June 2000, the General Assembly endorsed the recommendations of the Phase V Working Group on reformed procedures for determining reimbursement of contingent-owned equipment and decided to convene, in accordance with annex IX to the report of the Phase V Working Group (A/C.5/54/49), a post-Phase V Working Group in January/February 2001, for no less than 10 working days, to determine an appropriate average index to be applied to the existing major equipment and self-sustainment rates.

By the same resolution, the General Assembly requested the Secretary-General to collect data from Member States by 31 October 2000 and to report to the Assembly in November 2000 on the adequacy of the data, with a view to ascertaining whether the data were available for holding the meeting of the post-Phase V Working Group in January/February 2001. On 23 June 2000, the Secretariat requested Member States to submit data on major equipment, self-sustainment, painting and repainting costs of major equipment, the monthly maintenance rate for major medical equipment and pre-deployment immunization/post-repatriation medical examination

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costs by 31 October 2001. On 6 September 2000, the Secretariat sent a reminder to Member States on the submission of the above data.

The Secretary-General, in his note of 29 November 2000 (A/55/650), stated that the Secretariat was of the opinion that the data collected were sufficient for the post-Phase V Working Group to be able to conduct a further analysis. Accordingly, the Secretary-General recommended that a post-Phase V Working Group meeting be convened during the period from 15 to 26 January 2001 to review rates and to validate methodology for review of major equipment, self-sustainment and medical support services. The General Assembly, in its resolution 55/229 of 23 December 2000, took note of the report of the Secretary-General on the review of the rates of reimbursement to the Governments of troop-contributing States (A/54/763) and of the related report of the Advisory Committee on Administrative and Budgetary Questions (A/54/859).

As requested by the General Assembly in its resolution 54/19 B and in accordance with its decision 55/452 of 23 December 2000, the Secretary-General convened the post-Phase V Working Group at Headquarters from 15 to 26 January 2001.

The post-Phase V Working Group, which was made up of technical, financial and medical experts from Member States, validated the methodology and agreed on revised reimbursement rates for major equipment and self-sustainment; rates for some special cases and new categories of major equipment; generic reimbursement for painting and repainting of major equipment; and new rates for level II medical services provided by level III medical facilities.

The post-Phase V Working Group also adopted principles to be applied regarding liability for damage to major equipment used by one country and owned by another; a policy on the reimbursement of inland transportation claims; and a modular approach to reimbursement of medical facilities. Furthermore, the Working Group reviewed self-sustainment categories and standards and the provision of level I medical support, medical aspects contained in the Contingent-Owned Equipment Manual and the provision of blood and blood products.

Finally, the post-Phase V Working Group defined high- and normal-risk missions for medical reimbursement purposes, but could not arrive at a consensus on some issues, such as the review of the policy on vaccination costs and pre- and post-deployment examinations.

I. Introduction

1. As requested by the General Assembly in its decision 55/452 of 23 December 2000, the Secretary-General convened the post-Phase V Working Group from 15 to 26 January 2001. Pursuant to General Assembly resolution 49/233 A of 23 December 1994, the Phase V Working Group's mandate was to conduct a review and to update the standards and reimbursement rates of major equipment and self-sustainment categories developed by the Phase II and Phase III Working Groups. In addition, in order to undertake those tasks, the Secretariat proposed that a methodology be developed to ensure consistent application in future reviews. In its resolution 55/229 of 23 December 2000, the Assembly requested the post-Phase V Working Group to consider the current methodology underlying the calculations of standard rates of reimbursement to troop contributors, including ways to produce more timely and more representative data. The report of the post-Phase V Working Group is contained in document A/C.5/55/39.

2. In accordance with the above mandate, the post-Phase V Working Group:

(a) Validated the methodology and agreed on revised reimbursement rates for major equipment and self-sustainment;

(b) Agreed on rates for some special cases and new categories of major equipment;

(c) Adopted principles to be applied regarding liability for damage to major equipment used by one country and owned by another;

(d) Agreed on generic reimbursement for painting and repainting of major equipment;

(e) Adopted a policy on the reimbursement of inland transportation claims;

(f) Reviewed self-sustainment categories and standards;

(g) Defined high- and normal-risk missions for medical reimbursement purposes;

(h) Adopted a modular approach to the reimbursement of medical facilities;

(i) Reviewed the provision of level I medical support, medical aspects contained in the Contingent-Owned Equipment Manual, and the provision of blood and blood products;

(j) Agreed on a new rate for level II services provided by level III medical facilities;

(k) Proposed two options on troop costs reimbursement for the consideration of the General Assembly.

II. Summary of proposals and recommendations

3. The post-Phase V Working Group successfully completed the tasks mandated by the General Assembly. Considerable progress has been achieved on the policy and procedures for reimbursement to troop contributors. A methodology for reviewing rates of major equipment and self-sustainment was developed. The current rates were reviewed on the basis of the new methodology and the data submitted in 2000 by Member States. The same methodology would be applied in the future rate reviews of major equipment and self-sustainment.

A. Major equipment

1. Validation of methodology and reimbursement rate review

4. In its report, the Phase V Working Group (A/C.5/54/49, paras. 24-26) recommended the application of a new average index for each category based on data submitted by Member States to determine the new rates. The post-Phase V Working Group recommended that the methodology developed during phase V be revised to apply the statistical tool of standard deviation calculations as shown in annexes I.A and II.C to its report to the data submitted by Member States for this review and for future triennial reviews of major equipment and self-sustainment. The Working Group recommended an increase using a maximum of 25 per cent standard deviation, as highlighted in annexes I.A and II.C to its report, and that the major equipment and self-sustainment rates be incorporated in the 2001/02 peacekeeping budgets using the indices by category.

2. New categories of major equipment

5. In its report (A/C.5/55/39, paras. 39 and 40), the post-Phase V Working Group recommended rates for new categories of major equipment. The rates for the armoured personnel carriers and tanks should be regarded as interim until a proper collection of data has been done and new rates are established in conjunction with the triennial review.

3. Liability for damage to major equipment used by one country and owned by another

6. The post-Phase V Working Group, in paragraph 50 of its report, recommended that the United Nations be responsible for conducting and funding adequate training to ensure that a user is qualified to operate unique major equipment, such as armoured personnel carriers. The Working Group also recommended that in the event that major equipment is damaged, the user country should be responsible for reimbursing the providing country, through the United Nations, for any damage that may occur, whether as a result of wilful misconduct, gross negligence or negligence by personnel of the user country, and that these incidents be investigated and processed according to the current United Nations rules and regulations. The Secretariat is of the opinion this is a complex issue, which may be reviewed on the basis of experience gained following the implementation of this provision.

4. Generic reimbursement for painting and repainting of major equipment

7. The Working Group recommended, in paragraph 56 of its report, that standardized rates be adopted for the painting and repainting of major equipment and that the ratio of 1:1.19 for painting to repainting rates be used for current and future special cases.

5. Inland transportation costs for major equipment

8. In paragraph 60 of its report, the Working Group recommended that:

(a) Reimbursement be based on the letter-of-assist procedure whereby the conditions concerning all the transportation costs are agreed upon in advance, thus giving the Secretariat an indication of the cost of the operation;

(b) Documented costs related to loading and unloading major equipment prior to deployment and after repatriation should be met by the United Nations and should be reflected in the letter of assist;

(c) When transportation is provided by military means, the incremental cost is eligible for reimbursement, except the labour cost of military personnel.

B. Self-sustainment

1. Review of self-sustainment categories and standards

9. The Working Group, in paragraph 67 of its report, recommended that:

(a) The overarching principle is for all contingents to adhere to the commitments made in their respective memoranda of understanding to provide the agreed capability. Discussions between the United Nations and the deploying contingent will result in agreement on who is to provide the capabilities required, and deploying contingents are to confirm their requirements for assistance from the United Nations for the provision of any of the categories before deployment. The notification period required for some of the categories is 90 days;

(b) The standards for catering, office, electrical, laundry and cleaning, tentage, accommodation, observation and field defence stores should be amended.

2. Methodology for periodic review of self-sustainment rates and calculation of the rates for self-sustainment

10. The Working Group recommended that:

(a) On a triennial basis, the Secretariat call upon Member States to provide their proposed monthly rates for each self-sustainment category;

(b) The methodology using the statistical tool of standard deviation established for major equipment be adopted for self-sustainment in order to develop revised rates for each self-sustainment category using proposed rates provided by Member States.

11. Furthermore, based on data received from Member States in 2000, the Working Group decided to choose the model limiting the standard deviation to

25 per cent for the data that were available. The Working Group also recommended that the self-sustainment rates be incorporated into the 2001/02 peacekeeping budgets using the indices by category, as detailed in annex II.C of its report.

C. Medical support services

12. With regard to the review of policies on medical support services, the Working Group, in paragraph 118 of its report, recommended the approval of:

(a) The definition of high-risk missions (a mission with high incidence of endemic infectious diseases for which no vaccinations exist) and normal-risk missions (all other missions);

(b) The application of the term "force asset" versus "force-wide" and "force-level" in the context of medical support;

(c) The modular approach to reimbursement for medical facilities;

(d) The occasional provision of level I medical support in an emergency to all members of a United Nations mission;

(e) The inclusion of suggested changes, as set out in annex III.B to the report of the Working Group, to the medical aspects of the Contingent-Owned Equipment Manual;

(f) The rate for the provision of blood and blood products;

(g) The new rate of $35.44 for the provision of level II services by level III medical facilities based on the addition of 50 per cent of the level II self-sustainment rate to the level III rate;

(h) The replacement of the terms "major medical equipment" and "minor medical equipment" by the term "medical equipment";

(i) A maintenance cost of 0.5 per cent per month for the medical modules at all levels of medical support;

(j) The endorsement of the existing medical self-sustainment rates;

(k) Acceptance of the new methodology for the collection and interpretation of medical data as set out in annex III.D of the report of the Working Group.

D. Troop costs

13. The General Assembly, in its resolution 55/229 requested the post-Phase V Working Group to consider the current methodology underlying the calculations of standard rates of reimbursement to troop-contributing States, including ways to produce timely and more representative data. The Working Group did not reach a consensus on the subject and has submitted some options that the General Assembly could consider during its resumed fifty-fifth session.

III. Conclusion

14. While recognizing that the post-Phase V Working Group could not arrive at a consensus on some issues, such as the review of the policy on vaccination costs and pre- and post-deployment examinations, the Secretary-General welcomes the achievements of the Working Group. The enhanced procedures and policies developed by the Working Group with regard to major equipment, self-sustainment and medical support services will greatly facilitate the work of the Secretariat in the area of reimbursement to troop contributors for their contingent-owned equipment in peacekeeping operations.

15. The post-Phase V Working Group conducted the first review of the reimbursement rates since the contingent-owned equipment procedures were reformed in 1996. The recommendation on the modular approach to medical facilities, which resolves the problem of defining major and minor medical equipment, will simplify the verification and reimbursement procedures and assist in the planning stage of peacekeeping missions. The new categories of major equipment will reduce the number of special cases and therefore the time required to negotiate their costs. The generic reimbursement for painting and repainting of major equipment will enhance the standardization of the contingent-owned equipment reimbursements. The reimbursement of inland transportation costs for major equipment on the basis of the letter-of-assist procedure will ensure that more accurate reimbursement amounts are included in the budgets of the relevant peacekeeping operations and will facilitate the processing of claims.

16. The Secretary-General is of the view that considerable progress has been achieved by the post-Phase V Working Group. The need to have in place a

simple, transparent and equitable reimbursement system is paramount for the efficient and effective working of peacekeeping operations. There is now a solid base from which future contingent-owned equipment policy issues can be considered. Therefore, the Secretary-General agrees with the recommendations of the post-Phase V Working Group and recommends their approval by the General Assembly.

IV. Action to be taken by the General Assembly

17. **It is recommended that the General Assembly approve the following recommendations of the post-Phase V Working Group, as contained in its report (A/C.5/55/39) and the annexes thereto:**

(a) **Adopt a revised methodology of applying the statistical tool of standard deviation to the indices for generic categories to all major equipment and self-sustainment categories listed in the reports of the Phase II and Phase III Working Groups;**

(b) **Increase reimbursement rates using a maximum standard deviation of 25 per cent for major equipment and self-sustainment, as per annexes I.A and II.C to the report of the Working Group;**

(c) **Adopt the reimbursement rates for new categories of major equipment contained in annex I.B to the report;**

(d) **Request the United Nations to conduct training as required to ensure the user is qualified to operate unique major equipment belonging to other countries;**

(e) **Hold the user country responsible for reimbursing the providing country through the United Nations in case major equipment is damaged, subject to review on the basis of future experience gained upon implementation of this provision;**

(f) **Adopt generic rates of reimbursement for painting and repainting of major equipment, as set out in annex I.C of the report of the Working Group;**

(g) **Adopt the new procedures on reimbursement of inland transportation costs for major equipment;**

(h) **Adopt the amendment of the performance standards for the following self-sustainment categories: catering, office, electrical, laundry and cleaning, tentage, observation, and field defence stores;**

(i) **Adopt the definitions for high- and normal-risk missions in the context of medical support;**

(j) **Apply the term "force asset" in the context of medical support;**

(k) **Adopt the modular approach to reimbursement for medical facilities;**

(l) **Approve the occasional provision of level I medical support in an emergency to all members of a United Nations mission;**

(m) **Include suggested changes, as per annex III.B, in the medical aspects in the Contingent-Owned Equipment Manual;**

(n) **Confirm the rate for the provision of blood and blood products;**

(o) **Adopt the new rate for the provision of level II services by level III medical facilities;**

(p) **Replace the terms "major medical equipment" and "minor medical equipment" by the term "medical equipment";**

(q) **Adopt a maintenance cost of 0.5 per cent of the generic fair-market value per month for the medical modules in all levels of medical support;**

(r) **Endorse the existing medical self-sustainment rates;**

(s) **Accept the new methodology for collecting and interpreting medical data as per annex III.D;**

(t) **Decide on the modalities for the conduct of a triennial review of rates and standards of related policy issues.**

Annex

Recommendations of the post-Phase V Working Group and the Secretariat

Item	*Recommendations of the post-Phase V Working Group for approval by the General Assembly*	*Secretariat's view*
1. Methodology for periodic review of major equipment and self-sustainment	Update existing contingent-owned equipment and self-sustainment rates by applying the standard deviation calculations to the indexing data collected from Member States. On a triennial basis, the Secretariat will call upon Member States to provide their proposed monthly rates for each major equipment and self-sustainment category as per instructions in document A/C.5/54/49.	Recommends approval.
2. Review of rates for major equipment and self-sustainment	Adopt rates in annexes I.A and II.C to the report of the Working Group calculated by the methodology of major equipment, i.e., by applying the standard deviation of 25 per cent to the indexed data submitted by Member States.	Recommends approval.
3. Special cases and new categories/subcategories of major equipment	Add rates for tanks, subcategories for armoured personnel carriers, subcategories for fuel tankers, water-treatment plants.	Recommends approval.
4. Liability of damages for major equipment used by one country and owned by another	(a) United Nations to be held responsible for funding and conducting adequate training to ensure a user is qualified to operate unique equipment, e.g., armoured personnel carriers.	Recommends approval.
	(b) In case major equipment is damaged, the using country shall be responsible for reimbursing the providing country, through the United Nations, for any damage that may occur, whether as a result of misconduct, gross negligence or negligence by personnel of the using country.	Subject to future experience.
5. Generic reimbursement for painting and repainting of major equipment	(a) Adopt rates in annex.	Recommends approval.
	(b) Adopt the ratio of 1.1.19 for painting to repainting rates for current and future special cases.	Recommends approval.
6. Review of self-sustainment categories and standards	Amendments to chapter 3, annex B, of the Contingent-Owned Equipment Manual 2001 edition as follows:	
	(a) Additional principles: the overarching principle is for all contingents to adhere to the commitments made in their respective memoranda of understanding to provide the capability. Discussions between the United Nations and the contingent will result in agreement on who	Recommends approval.

Item	Recommendations of the post-Phase 3 Working Group for approval by the General Assembly	Secretariat's view
	is to provide the capabilities required. Deploying contingents are to confirm their requirement for assistance before deploying. Notification period is 90 days.	
	(b) Catering: amend to read "for the camps they are responsible for as detailed in the memorandum of understanding".	Recommends approval.
	(c) Office, Electrical and Observation: amend to include: "The United Nations could provide this capability as a complete self-contained function subject to the agreed overarching principles outlined above".	Recommends approval.
	(d) Laundry and cleaning: amend to read as follows:	Recommends approval.
	– "Provide laundry for all military and personal clothing, including dry-cleaning of operationally required specialist clothing and cleaning facilities for all contingent personnel"; and	
	– "Ensure all laundry and cleaning facilities have hygienic equipment that enables a clean and healthy environment to be maintained, i.e., cleaning of accommodation and office areas".	
	(e) Tentage: amend to include:	Recommends approval.
	– "If the United Nations confirms that the capability is required, the deploying contingent will continue to decide if it is to provide its own tentage capability, and be reimbursed accordingly";	
	– "The United Nations can provide this capability as a complete self-contained function subject to the agreed overarching principles outlined above";	
	– "When a contingent provides ablutions capability then it will be reimbursed under major equipment";	
	– "Tentage should include flooring and the ability to heat and cool, as appropriate".	
	(f) Accommodation: amend to include, "Provide furniture for eating facilities where necessary";	Recommends approval.

Item	Recommendations of the post-Phase I Working Group for approval by the General Assembly	Secretariat's view
	(g) Field defence stores: amend as follows:	Recommends approval.
	— Para. 40 ii: Insert "Establish early warning and detection systems to protect contingent premises";	
	— Para. 40 v: Delete "When the United Nations provides this service to equivalent standards, the unit does not receive reimbursement for this category" and insert "The United Nations can provide this capability as a complete self-contained function subject to the agreed overarching principles outlined above".	
	(h) Miscellaneous general stores: delete "The contingent must provide all related equipment, maintenance and supplies. When the United Nations provides this service to equivalent standards, the unit does not receive reimbursement for this category" (para. 42).	Recommends approval.
7. Definition of high-risk and normal-risk missions	High-risk mission is defined as a mission with high incidence of endemic infectious diseases for which no vaccinations exist.	Recommends approval.
8. Application of the term "force asset"	All level I medical facilities are to be considered force assets, thus available to all members of the United Nations mission. "Force-wide" and "force-level" have been replaced by "force asset".	Recommends approval.
9. Modular approach to medical facilities	A modular price was created based on the sum of the generic fair-market value of each item of equipment, and reimbursement will be based upon the sum of the modules provided that the capability of the modules exists.	Recommends approval.
10. Provision of level I medical support	Occasional level I care should be provided in an emergency with no fee as a matter of principle, but any troop contributor may choose to seek reimbursement for services rendered. This should be subject to further review in 2003 based on specific data on emergency services provided collected by the Field Administration and Logistics Division from the missions.	Recommends approval.
11. Review of the medical aspects of the Contingent-Owned Equipment Manual	The Secretariat proposed changes to the Contingent-Owned Equipment Manual on medical aspects, and the paper was revised to the satisfaction of the Working Group.	Recommends approval.
12. Blood and blood products	Reimbursement rate for blood and blood products is needed to cater to the option of a troop contributor requiring the provision of blood and blood products from its own sources.	Recommends approval.

Item	Recommendations of the post-Phase I Working Group for approval by the General Assembly	Secretariat's view
13. Provision of level II services by level III facilities	Establishment of a rate of $35.44, based on the addition of 50 per cent of the level II to the level III self-sustainment rate ($10.31 + 25.13).	Recommends approval.
14. Review of policy on vaccination costs and pre- and post-deployment examinations	Based on data provided by Member States, the Working Group calculated an estimate of these costs, as follows: vaccination costs $95, prophylaxis (malaria) $5, and examination (pre- and post-deployment), laboratory tests and X-rays $141. The total estimated cost is $241 per contingent member. Some of the Member States agreed on the policy of the new rates while other Member States had reservations. The need for reimbursement of these costs was questioned.	The Secretariat is of the view that reimbursing vaccination and examination costs will have a substantial financial impact on the peacekeeping budgets.
15. Review of policy on medical equipment threshold	The terms major and minor equipment will be replaced by the term "medical equipment".	Recommends approval.
16. Review of maintenance costs for all levels of medical support	The maintenance rate will be kept at 0.5 per cent per month, subject to review by 2003.	Recommends approval.
17. Review of medical self-sustainment rates	The current rates remain, subject to review in 2003.	Recommends approval.
18. Methodology for collection and interpretation of medical data	Acceptance of the new methodology for collecting and interpreting medical data as set out in annex III.D.	Recommends approval.

United Nations A/55/816

General Assembly

Distr.: General
1 March 2001

Original: English

Fifty-fifth session
Agenda item 136
Financing of the United Nations Mission of Observers in Tajikistan

Financial performance report of the United Nations Mission of Observers in Tajikistan for the period from 1 July 1999 to 30 June 2000

Report of the Secretary-General

Summary

The present report contains the financial performance report of the United Nations Mission of Observers in Tajikistan (UNMOT) for the period from 1 July 1999 to 30 June 2000. The General Assembly, by its resolution 53/19 B of 8 June 1999, appropriated an amount of $18,708,926 gross ($17,475,926 net) to cover the cost of UNMOT, inclusive of an amount of $930,639 for the support account for peacekeeping operations and an amount of $182,487 for the United Nations Logistics Base at Brindisi, Italy.

Expenditures for the period totalled $13,954,200 gross ($13,110,500 net), resulting in an unencumbered balance of $4,754,700 gross ($4,365,400 net).

Following the holding of the first multi-party and pluralistic parliamentary election in Tajikistan on 27 February 2000, the Security Council, in a presidential statement of 12 May 2000 (S/PRST/2000/17), supported the Secretary-General's stated intention, as contained in his report to the Security Council of 5 May 2000 (S/2000/387), to withdraw UNMOT when its mandate expired on 15 May 2000.

In view of this development, in a letter dated 16 June 2000 to the Chairman of the Advisory Committee on Administrative and Budgetary Questions, the Controller informed the Committee that amounts totalling $16,370,309 gross ($15,291,434 net) had been assessed up to 15 May 2000 when UNMOT's mandate expired. Against this revised assessed figure, it was projected that expenditures and obligations for the period 1 July 1999 to 15 May 2000, inclusive of the Mission's prorated share of the cost of the Support account for peacekeeping operations and the United Nations Logistics Base at Brindisi, would amount to some $11.5 million gross ($10.9 million net). The Controller, noting that the projected costs associated with the closing and liquidation of the Mission, estimated at $3.4 million gross ($3.3 million net), could

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therefore be met within the revised assessed figure, requested the concurrence of the Advisory Committee to enter into commitments in an amount not exceeding $3.4 million gross ($2.3 million net) for these purposes. The Advisory Committee concurred in the request in a letter dated 16 June 2000 from its Chairman to the Secretary-General.

The unencumbered balance resulted mainly from lower mission subsistence allowance payments for military observers, civilian police monitors and international staff, lower travel costs for military observers, lower international staff salaries and common staff costs, the non-procurement of vehicles and communications equipment and lower commercial communication charges, offset by higher expenditures under spare parts, repairs and maintenance for vehicles, communications equipment and other equipment respectively as well as higher commercial freight charges.

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I. Introduction

1. The Security Council, by its resolution 968 (1994) of 16 December 1994, established the United Nations Mission of Observers in Tajikistan (UNMOT). The Mission was established for a period of up to six months, subject to the proviso that it would continue beyond 6 February 1995 only if the parties agreed to extend the Agreement on a Temporary Ceasefire and the Cessation of Other Hostile Acts on the Tajik-Afghan Border and within the Country for the Duration of the Talks, of 17 September 1994 (S/1994/1102, annex I), and that they remained committed to an effective ceasefire, national reconciliation and the promotion of democracy.

2. In its resolution 1138 (1997) of 14 November 1997, the Security Council authorized the Secretary-General to expand the size of UNMOT. The Council decided that the mandate of UNMOT should be to use its best efforts to promote peace and national reconciliation and to assist in the implementation of the General Agreement on the Establishment of Peace and National Accord in Tajikistan (A/52/219-S/1997/510, annex I). The Council also noted with appreciation the agreement of the parties to form a joint security unit with the task of providing security, including armed escorts for UNMOT personnel and transports, mainly in the central part of the country, and called upon them to establish it without delay.

3. The Security Council has since extended the mandate of the Mission in subsequent resolutions, the most recent of which was resolution 1274 (1999) of 12 November 1999, in which the mandate was extended until 15 May 2000.

4. The budget for the maintenance of the Mission for the period from 1 July 1999 to 30 June 2000 was set out in the report of the Secretary-General of 1 February 1999 (A/53/816) and amounted to $19,109,400 gross ($17,739,400 net). The cost estimates provided for 50 military observers and 12 civilian police monitors supported by 218 civilian staff (69 international, 143 local staff and 6 United Nations Volunteers) and were based on the assumption that five team sites in addition to the headquarters in Dushanbe would be operational during the period from 1 July 1999 to 30 June 2000. On the basis of the Secretary-General's plan for expansion of UNMOT, authorized by the Security Council in its resolution 1138 (1997), the number of civilian police officers was increased from 2 to 12.

5. The General Assembly, by its resolution 53/19 B of 8 June 1999, appropriated an amount of $18,708,926 gross ($17,475,926 net) for the Mission for the period from 1 July 1999 to 30 June 2000, inclusive of an amount of $930,639 for the support account for peacekeeping operations and an amount of $182,487 for the United Nations Logistics Base at Brindisi, Italy.

6. Following the holding on 27 February 2000 of the first multi-party and pluralistic parliamentary election in Tajikistan, the Security Council, in a presidential statement of 12 May 2000 (S/PRST/2000/17), supported the Secretary-General's stated intention, as contained in his report to the Security Council of 5 May 2000 (S/2000/387), to withdraw UNMOT when its mandate expired on 15 May 2000.

7. In view of this development, in a letter dated 16 June 2000 to the Chairman of the Advisory Committee on Administrative and Budgetary Questions, the Controller informed the Committee that amounts totalling $16,370,309 gross ($15,291,434 net) had been assessed up to 15 May 2000 when the mandate of the Mission expired.

Against this revised assessed figure, it was projected that expenditures and obligations for the period 1 July 1999 to 15 May 2000, inclusive of the Mission's prorated share of the cost of the Support account for peacekeeping operations and the United Nations Logistics Base at Brindisi, Italy, would amount to some $11.5 million gross ($10.9 million net). The Controller, noting that the projected costs associated with the closing and liquidation of the Mission, estimated at $3.4 million gross ($3.3 million net), could therefore be met within the revised assessed figure, requested the concurrence of the Advisory Committee to enter into commitments in an amount not exceeding $3.4 million gross ($3.3 million net) for these purposes. The Advisory Committee concurred in the request in a letter dated 16 June 2000 from its Chairman to the Secretary-General.

II. Implementation of the budget

8. Information on the operations of UNMOT during the reporting period is contained in the reports of the Secretary-General to the Security Council of 12 August 1999 (S/1999/872), 4 November 1999 (S/1999/1127), 14 March 2000 (S/2000/214) and 5 May 2000 (S/2000/387).

9. UNMOT had to function in a highly volatile environment. The Mission has endured two hostage incidents and serious acts of harassment and has lost six members to hostile action. Consequently, the Mission's freedom of movement and its ability to carry out its mandated functions were severely limited for long periods of time. A further deterioration in the security situation during the electoral campaign, as well as a number of serious violent incidents, which occurred in February 2000, contributed to an atmosphere of insecurity and had an adverse impact on the implementation of the approved budget for the period.

10. With the holding of the first multi-party and pluralistic parliamentary elections in Tajikistan on 27 February 2000, the transition period envisaged in the General Agreement on the Establishment of Peace and National Accord in Tajikistan (S/1997/510, annex I) drew to a close, as did the process that UNMOT was set up to support. At that time, the Security Council noted with satisfaction that the United Nations had played an important role in the success of the process and supported the intention of the Secretary-General to withdraw UNMOT when its mandate expired on 15 May 2000 (see S/PRST/2000/9).

11. Following the expiration of the UNMOT mandate on 15 May 2000, there was an intensive liquidation period from 16 May to 30 June 2000 during which the packing, shipping and further physical and administrative liquidation of the Mission was carried out.

III. Financial performance report for the period from 1 July 1999 to 30 June 2000

12. Table 1 below indicates the appropriation of $18,708,926 gross ($17,475,926 net) for the maintenance of UNMOT for the period from 1 July 1999 to 30 June 2000. Expenditures amounted to $13,954,200 gross ($13,110,500 net), inclusive of $2,662,600 in unliquidated obligations for the period ending 30 June 2000. The

resulting unencumbered balance of $4,754,700 gross ($4,365,400 net) represents approximately 25.4 per cent of the amount appropriated.

13. Annex I to the present report contains the financial performance information for the reporting period by budget line. Column 1 of annex I reflects the apportionment of the resources provided to UNMOT during the period under review, pursuant to General Assembly resolution 53/19 B. The expenditures recorded for the period from 1 July 1999 to 30 June 2000 are shown in column 3 by budget line item. Variances between the apportionment of resources by budget line item and the actual expenditures are shown in column 4.

14. Supplementary information on significant variances in the financial performance report is presented in annex II. The planned and actual deployment of military observers and civilian personnel for the reporting period is contained in annex III. Annex IV contains a chart showing the apportionment and expenditure for the period from 1 July 1999 to 30 June 2000.

Table 1
Apportionment and expenditure
(Thousands of United States dollars)

Category of expenditure	*Apportionment*	*Expenditure*	*Variance*
Military personnel	1 743.3	994.4	748.9
Civilian personnel	9 178.8	5 995.9	3 182.9
Operational requirements	5 298.6	4 920.7	377.9
Other programmes	142.1	86.4	55.7
United Nations Logistics Base at Brindisi	182.5	182.5	-
Support account for peacekeeping operations	930.6	930.6	-
Staff assessment	1 233.0	843.7	389.3
Gross requirements	**18 708.9**	**13 954.2**	**4 754.7**
Income from staff assessment	(1 233.0)	(843.7)	(389.3)
Net requirements	**17 475.9**	**13 110.5**	**4 365.4**
Voluntary contributions in kind (budgeted)	-	-	-
Voluntary contributions in kind (non-budgeted)	-	-	-
Total resources	**18 708.9**	**13 954.2**	**4 754.7**

Table 2
Authorized staffing, incumbency and vacancy rates for military and civilian personnel for the period from 1 July 1999 to 30 June 2000

Personnel category	*Authorized strength*	*Actual strength (average)*	*Vacancy rate (percentage)*
Military observers	50	26	48.0
Military contingents	-	-	-
Civilian police	12	2	83.3
International staff	69	42	39.1
National officers	-	-	-
Local staff	143	109	23.8
United Nations Volunteers	6	3	50.0

IV. Action to be taken by the General Assembly at its fifty-fifth session

15. **The actions to be taken by the General Assembly in connection with the financing of United Nations Mission of Observers in Tajikistan are:**

(a) **To reduce the appropriation approved by the General Assembly in its resolution 53/19 B of 8 June 1999 to $16,370,309 gross ($15,291,434 net);**

(b) **A decision on the treatment of the unencumbered balance of $4,754,700 gross ($4,365,400 net) for the period from 1 July 1999 to 30 June 2000.**

Annex I

Financial performance report for the period from 1 July 1999 to 30 June 2000: summary statement

(Thousands of United States dollars)

Category of expenditure	*(1)* *Apportionment* [a]	*(2)* *Non-recurrent expenditures*	*(3)* *Total expenditures (inclusive of non-recurrent expenditures)*	*(4) = (1 - 3)* *Variance*
I. Military personnel				
1. Military observers	1 676.5	-	894.1	782.4
2. Military contingents	-	-	-	-
3. Other requirements pertaining to military personnel				
(a) Contingent-owned equipment	-	-	-	-
(b) Self-sustainment	30.0	-	5.8	24.2
(c) Death and disability compensation	36.8	-	94.5	(57.7)
Subtotal, line 3	66.8	-	100.3	(33.5)
Total, category I	**1 743.3**	**-**	**994.4**	**748.9**
II. Civilian personnel				
1. Civilian police	413.1	-	49.7	363.4
2. International and local staff	8 535.3	-	5 876.0	2 659.3
3. United Nations Volunteers	230.4	-	70.2	160.2
4. Government-provided personnel	-	-	-	-
5. Civilian electoral observers	-	-	-	-
Total, category II	**9 178.8**	**-**	**5 995.9**	**3 182.9**
III. Operational requirements				
1. Premises/accommodations	131.8	-	70.1	61.7
2. Infrastructure repairs	-	-	-	-
3. Transport operations	632.1	708.2	796.4	(164.3)
4. Air operations	2 295.2	-	1 596.8	698.4
5. Naval operations	-	-	-	-
6. Communications	1 721.8	700.8	1 017.5	704.3
7. Other equipment	199.6	159.6	694.0	(494.4)
8. Supplies and services	268.1	169.8	451.0	(182.9)
9. Air and surface freight				
(a) Transport of contingent-owned equipment	-	-	-	-
(b) Commercial freight and cartage	50.0	-	294.9	(244.9)
Subtotal, line 9	50.0	-	294.9	(244.9)
Total, category III	**5 298.6**	**1 738.4**	**4 920.7**	**377.9**

Category of expenditure	*(1)* *Apportionment* [a]	*(2)* *Non-recurrent expenditures*	*(3)* *Total expenditures (inclusive of non-recurrent expenditures)*	*(4) = (1 - 3)* *Variance*
IV. Other programmes				
1. Election-related supplies and services	-	-	-	-
2. Public information programmes	142.1	0.2	86.4	55.7
3. Training programmes	-	-	-	-
4. Mine-clearing programmes	-	-	-	-
5. Assistance for disarmament and demobilization	-	-	-	-
Total, category IV	**142.1**	**0.2**	**86.4**	**55.7**
V. United Nations Logistics Base at Brindisi	**182.5**	**-**	**182.5**	**-**
VI. Support account for peacekeeping operations	**930.6**	**-**	**930.6**	**-**
VII. Staff assessment	**1 233.0**	**-**	**843.7**	**389.3**
Gross requirements, categories I-VII	18 708.9	1 738.6	13 954.2	4 754.7
VIII. Income from staff assessment	**(1 233.0)**	**-**	**(843.7)**	**(389.3)**
Net requirements, categories I-VIII	17 475.9	1 738.6	13 110.5	4 365.4
IX. Voluntary contributions in kind (budgeted)	**-**	**-**	**-**	**-**
X. Voluntary contributions in kind (non-budgeted)	**-**	**-**	**-**	**-**
Total	**18 708.9**	**1 738.6**	**13 954.2**	**4 754.7**

[a] Based on appropriation provided by General Assembly resolution 53/19B.

Annex II

Supplementary information on significant variances

Military personnel

Apportionment: $1,743,300; expenditure: $994,400; variance: $748,900

1. The unutilized balance of $748,900 under this heading was largely due to the fact that military observers whose tour of duty ended were not replaced during the period, in view of the expected expiration of the UNMOT mandate on 15 May 2000. As a result, the Mission experienced an average vacancy rate of 52 per cent for military observers, resulting in substantial savings under mission subsistence allowance, travel costs for military observers and for level 1 medical service budgeted under self-sustainment. These savings were offset by higher actual requirements under death and disability compensation owing to the loss of two military observers as a result of hostile action ($57,700).

Civilian personnel

Apportionment: $9,178,800; expenditure: $5,995,900; variance: $3,182,900

2. Savings of $363,400 under civilian police were mainly attributable to the fact that only 2 out of the 12 civilian police monitors authorized were deployed in the Mission area during the period, which resulted in significant underexpenditure under mission subsistence allowance, travel costs and clothing allowance.

3. As a result of the gradual transfer of UNMOT international personnel to other peacekeeping operations, which started in March 2000, the Mission experienced an average vacancy rate of 39.1 per cent for international staff during the period. This resulted in savings under international staff salaries ($1,567,800), common staff costs ($627,000) and mission subsistence allowance ($555,300). The expenditures recorded included an amount of $154,300 to cover the salary costs for 13 work months for international staff members (one P-4, one P-3 and two General Service (Other level)) associated with the liquidation of UNMOT at Headquarters.

4. The average vacancy rate of 28.3 per cent for local staff and 50 per cent for United Nations Volunteers resulted in the savings reported under these headings.

5. Additional requirements of $53,800 under other travel were largely attributable to the higher than budgeted travel requirements of the Chief of Mission for visits to neighbouring countries and of UNMOT personnel in connection with the closure of UNMOT field offices in Kurgan-Tyube, Khorog and Khujand and a temporary electoral office in Garn.

Operational requirements

Apportionment: $5,298,600; expenditure: $4,920,700; variance: $377,900

6. The unutilized balance of $377,900 largely resulted from savings under premises/accommodation ($61,700), air operations ($698,400) and communications ($704,300), offset by additional requirements under transport operations ($164,300),

other equipment ($494,400), supplies and services ($182,700) and air and surface freight ($244,900).

Premises/accommodation

Apportionment: $131,800; expenditure: $70,100; variance: $61,700

7. The savings under this heading were the result of lower than budgeted rental costs, the reduction from five to four field offices and their subsequent closure ($29,900) and to concomitant lower requirements under maintenance supplies, maintenance services and utilities ($31,800).

Transport operations

Apportionment: $632,100; expenditure: $796,400; variance: ($164,300)

8. The overexpenditure under this heading was largely attributable to non-procurement of 11 replacement vehicles budgeted for the period in view of the expiration of the UNMOT mandate on 15 May 2000 ($196,300), offset by additional requirements of $446,900 under spare parts, repairs and maintenance related to the cost of refurbishing 54 vehicles shipped to the United Nations Logistics Base at Brindisi for subsequent use by other peacekeeping operations. The decrease in the Mission's vehicle fleet from 124 to an average of 89 vehicles during the period and the subsequent shipment of 54 of them to the Logistics Base also resulted in lower than budgeted consumption of petrol, oil and lubricants, resulting in savings of $89,500 under this heading. These savings were also offset by additional requirements of $11,200 under vehicle insurance.

Air operations

Apportionment: $2,295,200; expenditure: $1,596,800; variance: $698,400

9. The savings under this heading are mainly attributable to reduced flying hours for the helicopter and the fixed-wing aircraft as a result of the downsizing and the subsequent closing of the Mission, which resulted in lower consumption of aviation fuel, landing fee costs incurred and ground handling charges than budgeted. These savings were offset by additional requirement under aircrew subsistence allowance as a result of higher costs for accommodation and food outside of the country for the AN-26 aircraft crew for flights, mainly to Almaty (Kazakhstan) and Tashkent (Uzbekistan), in connection with the transportation of equipment items and staff members leaving the Mission area.

Communications

Apportionment: $1,721,800; expenditure: $1,017,500; variance: $704,300

10. In view of the anticipated closure of the Mission, procurement of communications equipment was kept to a minimum and limited to only the most immediate requirements, which included necessary upgrade of the Mission's communications system in connection with the electoral process. This resulted in savings of $497,700.

11. Similarly, workshop and test equipment were not procured during the period, resulting in the unutilized balance of $34,500 under this heading.

12. However, an additional amount of $313,400 was required under spare parts and supplies for the refurbishment of communications equipment that was shipped to the United Nations Logistics Base at Brindisi upon the closure of the Mission for later use by other peacekeeping operations.

13. Savings of $485,500 under commercial communications were realized owing in part to the establishment of four team sites instead of the five budgeted, and in part to the increased use of high-frequency (HF) communications between the team sites in lieu of the more expensive INMARSAT and CAPSAT mobile communications systems.

Other equipment

Apportionment: $199,600; expenditure: $694,000; variance: ($494,400)

14. The additional amount under this heading was largely attributable to unbudgeted expenses associated with refurbishment of a variety of pieces of equipment (such as generators, air conditioners, photocopiers, printers, fax machines and containers) that were subsequently shipped to the United Nations Logistics Base at Brindisi upon the closure of UNMOT ($534,400). Other additional requirements during the period included the procurement of additional office furniture, computers and accommodation equipment for the field offices in connection with the monitoring of the parliamentary and presidential elections. These costs were partially offset by savings due to the non-utilization of funds under field defence equipment, petrol tanks and water and septic tanks.

Supplies and services

Apportionment: $268,100; expenditure: $451,000; variance: ($182,900)

15. The additional requirements under this heading are mainly attributable to higher requirements under contractual services due to the need to hire local personnel on a short-term basis for the refurbishment and packing of equipment for shipment to the United Nations Logistics Base at Brindisi in connection with the closure of the Mission. Additional costs were also incurred under miscellaneous other services ($55,400), relating to bank charges and the procurement of packing materials and pallets used in conjunction with above-mentioned shipments. These additional requirements were offset by savings under miscellaneous supplies such as office supplies, sanitation and cleaning materials, electrical supplies, subscriptions and operational maps as a result of the downsizing and subsequent closing of the Mission.

Air and surface freight

Apportionment: $50,000; expenditure: $294,900; variance: ($244,900)

16. The higher than budgeted expenditure reported under this heading was due to the shipping of 670 different pieces of refurbished equipment and other usable assets

shipped to the United Nations Logistics Base at Brindisi upon closure of UNMOT for use by other peacekeeping operations.

Other programmes

Apportionment: $142,100; expenditure: $86,400; variance: $55,700

17. While provision had been made for the printing of UNMOT newsletters, brochures, posters and other publications as well as the production of television and radio slots for broadcasting on local stations in connection with the peace process in Tajikistan, the services of the local radio and television stations were no longer required, resulting to savings of $46,200 under contractual services. In addition, the non-procurement of photographic equipment such as a movie camera, support kit, editing materials and supplies resulted to the savings recorded under the headings of equipment and materials and supplies respectively.

Staff assessment

Apportionment: $1,233,000; expenditure: $843,700; variance: $389,300

18. The unutilized balance was mainly due to the average vacancy rate of 39.1 per cent in respect of international staff.

Income from staff assessment

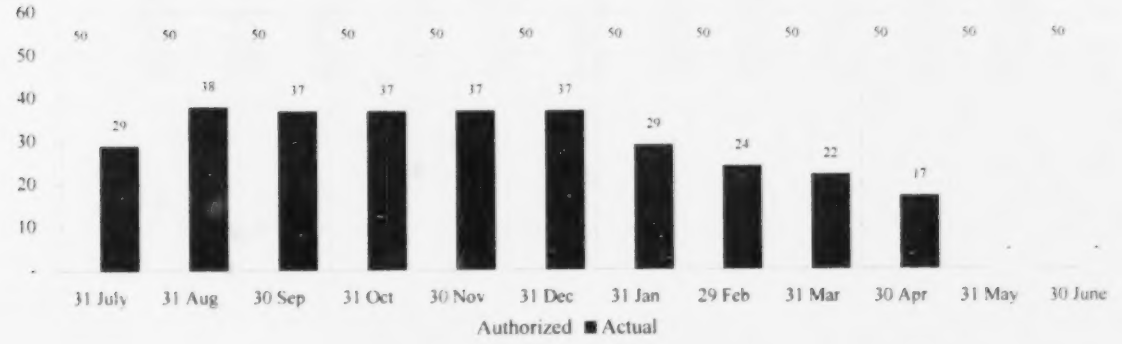
Apportionment ($1,233,000); expenditure: ($843,700); variance: ($389,300)

19. This amount is derived from staff assessment (see para. 18 above).

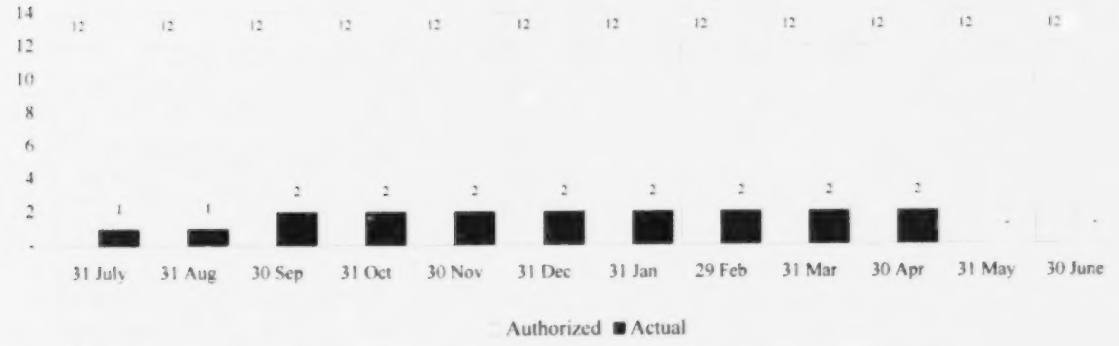
Annex III

Planned and actual deployment of civilian and military personnel for the period from 1 July 1999 to 30 June 2000

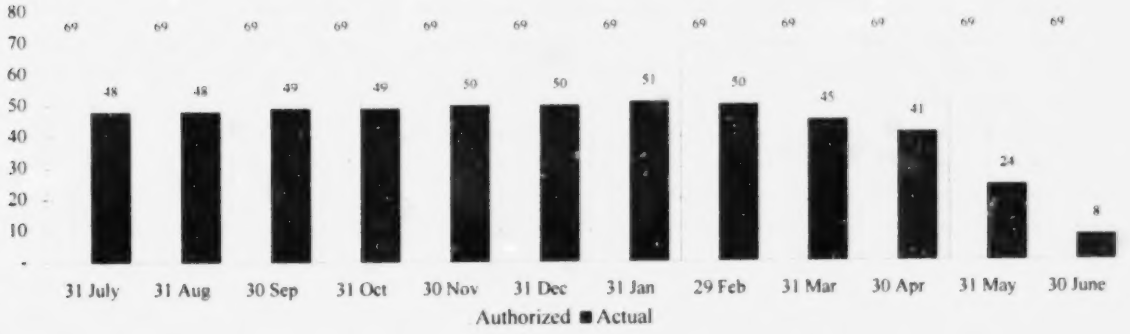
1. Military observers



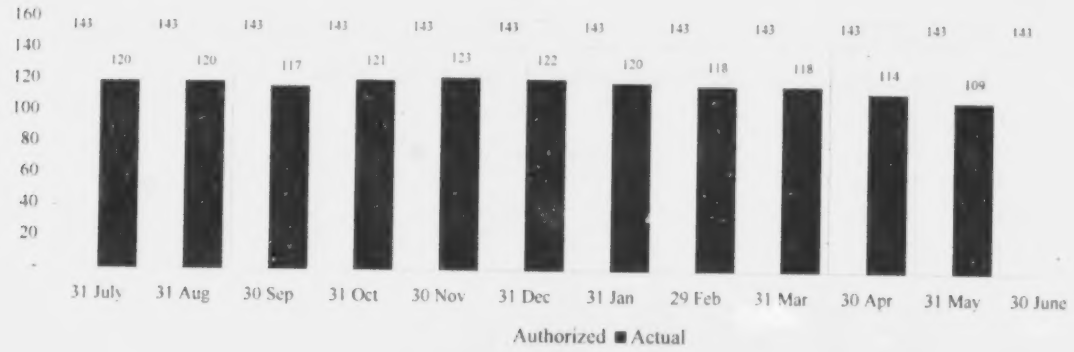
2. Civilian police



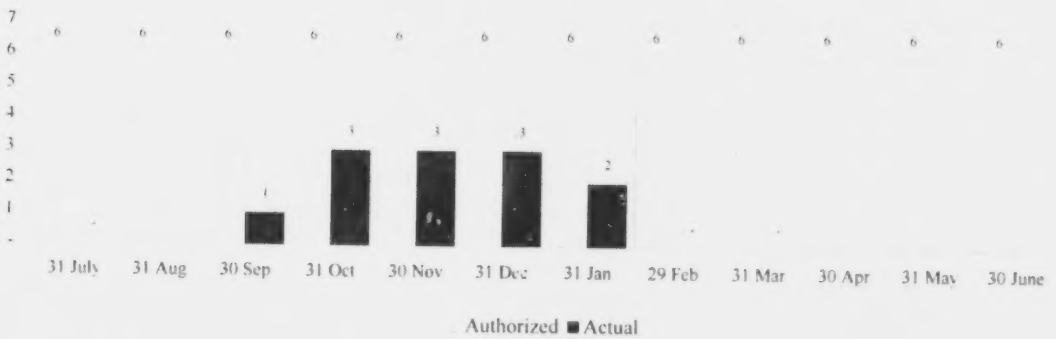
3. International staff



4. Local staff

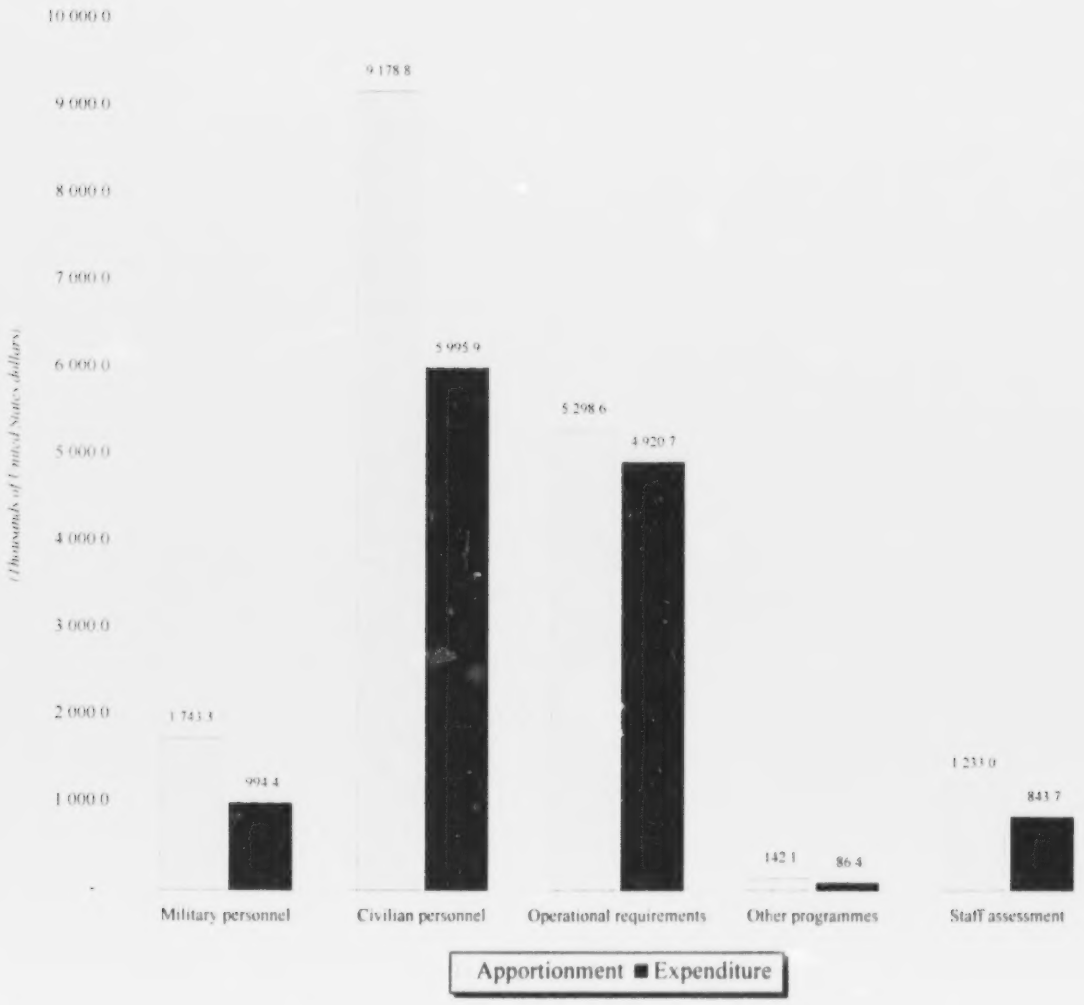


5. United Nations Volunteers



Annex IV

Apportionment and expenditure for the period from 1 July 1999 to 30 June 2000



United Nations A/55/816/Corr.1

General Assembly

Distr.: General
22 March 2001

Original: English

Fifty-fifth session
Agenda item 136
Financing of the United Nations Mission of Observers in Tajikistan

Financial performance report of the United Nations Mission of Observers in Tajikistan for the period from 1 July 1999 to 30 June 2000

Report of the Secretary-General

Corrigendum

Replace paragraph 15 with the following:

15. **The actions to be taken by the General Assembly in connection with the financing of United Nations Mission of Observers in Tajikistan are:**

(a) **To reduce the appropriation approved by the General Assembly in its resolution 53/19 B of 8 June 1999 to $16,370,309 gross ($15,291,434 net);**

(b) **A decision on the treatment of the consequential unencumbered balance of $2,416,109 gross ($2,180,934 net) for the period from 1 July 1999 to 30 June 2000.**

01-30446 (E) 280301

United Nations A/55/817–S/2001/180

General Assembly
Security Council

Distr.: General
1 March 2001

Original: English

General Assembly
Fifty-fifth session
Agenda item 40
The situation in the Middle East

Security Council
Fifty-sixth year

Note verbale dated 28 February 2001 from the Permanent Representative of the Syrian Arab Republic to the United Nations addressed to the Secretary-General

The Permanent Representative of the Syrian Arab Republic to the United Nations presents his compliments to the Secretary-General and has the honour to transmit herewith a letter from Farouk Al-Shara', Minister for Foreign Affairs of the Syrian Arab Republic, addressed to the Secretary-General concerning the situation in the Syrian village of Alghajar in the Syrian Occupied Golan (see annex).

I would be grateful if you would have the present note verbale and its annex circulated as a document of the General Assembly, under agenda item 40, and of the Security Council.

01-27156 (E) 020301 060301

Annex to the note verbale dated 28 February 2001 from the Permanent Representative of the Syrian Arab Republic to the United Nations addressed to the Secretary-General

[Original: Arabic]

The question of the partition of the Syrian village of Ghajar in the occupied Syrian Golan has continued to be of great popular concern in the Syrian Arab Republic, inasmuch as the Israeli occupation authorities have recently begun to bring the greatest pressure to bear on the inhabitants of the village for the construction of a barbed-wire fence along the Blue Line that was drawn by the United Nations and that had the result of dividing the village. The inhabitants of the village, our citizens, are resisting this pressure, and they reject the building of any barbed-wire fence that divides their village regardless of the pretexts used or the reasons given.

The village of Ghajar is a sensitive issue and something more than a humanitarian one. The inhabitants of the village have stated unequivocally that they were born as Syrians and that they will remain Syrians in all circumstances. They are a single family and their fields lie around the village. They cannot consent to the partition of their village and only wish to live together in harmony, concord and unity.

We raised this matter with you at our meeting in Damascus on 23 June 2000, and you promised to hold the necessary consultations in its regard.

In our view, the United Nations must preserve the unity of Ghajar, given that it is an occupied Syrian village; no forces must enter it other than United Nations forces; and it should remain under the control of United Nations forces, as an interim solution, pending Israel's implementation of Security Council resolution 242 (1967) and the evacuation of the Israeli occupation forces from the occupied Syrian Golan and their withdrawal to the line of 4 June 1967.

We hope and trust that the matter will receive your full attention and that you will make every effort in its regard in the context of your endeavours for a just and comprehensive peace in the Middle East region.

(*Signed*) Farouk **Al-Shara'**
Minister for Foreign Affairs of the Syrian Arab Republic
Damascus, 21 February 2001

United Nations A/55/818-S/2001/184

General Assembly
Security Council

Distr.: General
1 March 2001
English
Original: Arabic

General Assembly
Fifty-fifth session
Agenda item 40
The situation in the Middle East

Security Council
Fifty-sixth year

Letter dated 1 March 2001 from the Permanent Representative of Lebanon to the United Nations addressed to the Secretary-General

On instructions from my Government and further to my previous letters on the same subject, I have the honour to convey to you hereunder a list of the violations and infringements that were committed by Israel against Lebanon in the period from 16 to 28 February 2001. Lebanon regards these incidents as an extension of Israel's aggression against its people and territory.

16 February 2001

At 1220 hours Israeli forces fired several mortar rounds of miscellaneous calibre and direct-fire rounds at outlying areas Kafr Shuba, Majidiyah, Mari, Wazzani, Amrah and Ayn Arab and at the Riba` al-Tibn area outside Kafr Shuba from their outposts in the occupied Shab`a farmlands. A number of smoke projectiles landed on the road between Mari and Majidiyah. Two Israeli helicopters also flew over the occupied Shab`a farmlands.

17 February 2001

At 2035 hours an Israeli helicopter launched three illumination flares in an offshore area near Adlun.

20 February 2001

On the night of 19/20 February Israeli forces installed a monitoring camera on a metal watchtower on the Lebanon-Israel boundary between Kafr Killa and Udaydah in the vicinity of the Nabi Uwaydah intersection. It should be recalled that two monitoring cameras were installed in the same location on 14 February.

21 February 2001

Between 0920 and 1050 hours Israeli warplanes overflew the Tibnin, Bint Jubayl, Sidon and Damur areas, heading north at very high altitudes before leaving Lebanese airspace.

01-27163 (E) 060301 070301

Between 0810 and 0820 hours Israeli warplanes overflew the Tyre and Naqurah areas, the area adjacent to Ramiyah and the western sector at moderate altitudes.

At 0530 hours an Israeli gunboat launched illumination flares and fired bursts of medium-weapons fire in an area near Lebanese territorial waters at Naqurah.

24 February 2001

Between 2210 and 2230 hours Israeli forces strafed the vicinity of their outpost at Ramta hill in the occupied Shab`a farmlands with medium-weapons fire. An Israeli helicopter also flew over the farmlands and fired several bursts of medium-weapons fire at the area between Mazra`at Fashkul and Abbasiyah.

25 February 2001

At 1440 hours the Israeli army connected electricity cables to the barbed-wire fence between Lebanon and Israel at the Abbad position.

Between 0930 and 1200 hours Israeli warplanes overflew the South, the Bekaa, Mount Lebanon and the North at very high altitudes, breaking the sound barrier.

26 February 2001

Between 0930 and 1030 hours Israeli warplanes overflew the South and the occupied Shab`a farmlands at very high altitudes.

27 February 2001

Between 1345 and 1350 hours Israeli forces at the Mazra`at Fashkul outpost in the occupied Shab`a farmlands fired several bursts of medium-machine-gun fire at surrounding areas.

Between 0800 and 1500 hours three military bulldozers and a Poclain backhoe were engaged in excavation work in the occupied Shab`a farmlands near the Lebanon-Syria boundary at Ramta hill.

28 February 2001

Between 0930 and 1110 hours Israeli warplanes overflew the South and Mount Lebanon at very high altitudes.

From 1130 hours an Israeli forces Poclain backhoe was engaged in excavation work along the Blue Line east of Ghajar. Another excavator was at work inside the outpost of the occupation forces at Ruwaysat al-Alam in the occupied Shab`a farmlands. An Israeli bulldozer was working on the road leading to the outpost at Mazra`at Fashkul. A metal pole some 20 metres long was raised at the Ramta hill outpost of the occupation forces, around which a crane was also installing reinforced-concrete cuboid obstacles.

Between 1305 and 1340 hours Israeli warplanes overflew the Naqurah area at very high altitudes.

Between 1215 and 1300 hours Israeli forces sent a motorized patrol along the line between Abbasiyah and Mazra`at Fashkul in the occupied Shab`a farmlands.

Like the previous Israeli violations of which it represents a continuation, this latest series is in flagrant violation of Security Council resolution 425 (1978) and of Lebanon's sovereignty and poses a threat to stability in the region.

I should be grateful if you would have this letter circulated as a document of the General Assembly, under agenda item 40, and of the Security Council.

(*Signed*) Sélim **Tadmoury**
Ambassador
Permanent Representative

United Nations A/55/819–S/2001/187

General Assembly
Security Council

Distr.: General
2 March 2001

Original: English

General Assembly
Fifty-fifth session
Agenda item 164
Measures to eliminate international terrorism

Security Council
Fifty-sixth year

Letter dated 2 March 2001 from the Permanent Representative of Israel to the United Nations addressed to the Secretary-General

I wish to draw your attention to the latest act of Palestinian terrorism perpetrated yesterday in the north of Israel near the Mei-Ami Junction.

An intercity taxi, en route from Tel Aviv to the northern Israeli city of Tiberias, was stopped at a police roadblock shortly before 2 p.m. As a police officer approached the van, one of the passengers detonated a bomb. The explosion killed Claude Knafo, age 29, from Tiberias, and wounded nine others.

Yesterday's attack was the second bombing attempt in less than 24 hours. A cafe owner on Tel Aviv's Allenby Street had reported an unattended shopping bag which police found contained two kilograms of explosives. Police sappers safely detonated the bomb Wednesday night.

Thursday's bombing is the latest in a series of attacks that have targeted Israeli civilians in recent months. Terrorist groups have been responsible for ambushing of Israelis as they travel on roads, bombings of public places, abductions and murders. These incidents have been detailed in a number of letters addressed to you, most recently my letters dated 14 February 2001 (A/55/787-S/2001/137), 13 February 2001 (A/55/781-S/2001/132), 2 February 2001 (A/55/762-S/2001/103), 25 January 2001 (A/55/748-S/2001/81), 23 January 2001 (A/55/742-S/2001/71), 28 December 2000 (A/55/719-S/2000/1252), 22 November 2000 (A/55/641-S/2000/1114), 20 November 2000 (A/55/634-S/2000/1108) and 2 November 2000 (A/55/540-S/2000/1065).

The Palestinian leadership continues to avoid taking the necessary steps that could halt the violence and terrorism directed against Israel. Rather than act to control terrorism, the Palestinian leadership has actively encouraged this behaviour, mainly through the release of convicted terrorist prisoners who now enjoy complete freedom of movement within the Palestinian territories. Such conduct stands in stark contrast to Chairman Yasser Arafat's signed commitment of 9 September 1993 in which he renounced the use of violence and resolved to ensure the compliance of all elements and personnel under his authority with this principle.

01-27241 (E) 020301

Chairman Arafat's failure to abide by this commitment has directly contributed to the outbreak of violence and to the proliferation of terrorist attacks in recent months. Israel again calls upon the Palestinian leadership to abide by its written commitments to halt all violence directed against Israeli soldiers and civilians.

I should be grateful if you would arrange to have the text of the present letter circulated as a document of the General Assembly, under agenda item 164, and of the Security Council.

(*Signed*) Yehuda **Lancry**
Permanent Representative

United Nations A/55/820

General Assembly

Distr.: General
8 March 2001

Original: English

Fifty-fifth session
Agenda item 115
Financial reports and audited financial statements, and reports of the Board of Auditors

Financial reports and audited financial statements, and reports of the Board of Auditors

Note by the Secretary-General

The Secretary-General has the honour to transmit to the members of the General Assembly the comments of the Board of Auditors concerning action taken by the United Nations Development Programme, the United Nations Population Fund and the United Nations International Drug Control Programme towards removing the reasons that led to the qualified audit opinion on their financial statements for the biennium ended 31 December 1999, pursuant to paragraph 3 of General Assembly resolution 55/220 of 23 December 2000.

01-27892 (E) 080301

Comments on measures taken by the United Nations Development Programme, the United Nations Population Fund and the United Nations International Drug Control Programme towards removing the reasons that led to the qualified audit opinion on their financial statements for the biennium ended 31 December 1999

1. In its resolution 55/220 of 23 December 2000, the General Assembly decided to defer action on the financial statements of the United Nations Development Programme (UNDP), the United Nations Population Fund (UNFPA) and the United Nations International Drug Control Programme (UNDCP) for the period ended 31 December 1999, pending certification by the Board of Auditors that satisfactory progress is being made towards removing the reasons for the qualified opinions or that the matter has been resolved. The General Assembly decided to revert to this matter at its resumed fifty-fifth session.

2. UNDP, UNFPA and UNDCP have since informed the Board that they have drawn up plans to address the reasons that led to the qualified audit opinions. These plans include the following measures:

(a) Continued efforts to obtain audit reports in respect of the biennium 1998-1999;

(b) Setting targets to secure audit reports covering up to 95 per cent of expenditures incurred through governmental and non-governmental organizations;

(c) Proposals to revise a financial rule and related internal directives to require an increased level of audit coverage;

(d) More intensive focus by senior management on poorly managed projects and those with large expenditures;

(e) Closer monitoring and evaluation of audit plans and the timely submission thereof;

(f) Increased use of private audit firms where government auditors do not have the capacity to conduct audits.

3. The organizations have informed the Board that, since the audit opinions for the financial period ended 31 December 1999 were signed by the Board, the organizations have obtained additional audit reports as follows:

	Amount of national execution expenditure in 1998-1999 (millions of US dollars)	*Audit reports obtained to date of audit opinion (millions of US dollars)*	*Audit reports obtained as of 31 January 2001 (millions of US dollars)*	*Percentage of national execution expenditure covered by audit reports*
UNDP	2 878.9	1 460.5 (51%)[b]	1 935.3	67%
UNFPA	201.2	100.6 (50%)	132.0	66%
UNDCP	18.3	4.1 (22%)	16.1	88%

[a] The Board has not examined the audit reports received since the date of the audit opinion. Some of them may contain audit qualifications or scope restrictions relating to the individually executed projects covered.

[b] Together with the evidence that the Board was able to secure from its direct testing of selected national execution projects and of direct expenditures incurred by UNDP on national execution projects, the Board was able to secure evidence to support 75 per cent of UNDP's total national execution expenditure incurred in 1998-1999.

4. The Board is satisfied that, in principle, the plans developed by UNDP, UNFPA and UNDCP provide an adequate basis at this time for improving the extent to which national execution expenditure is covered by audit reports. If achieved, this should result in a steady and significant progress over coming financial periods towards removing the reasons which led to the qualified audit opinions. In its audits, the Board will continue to examine the receipt of audit reports and the level of audit assurance that these reports provide. The Board also recognizes that the underlying problem needs the close cooperation of implementing partners if it is to be fully and satisfactorily resolved. The Board's audit opinions on these organizations will, inter alia, continue to be based on the level of audit assurance obtained.

5. In the case of UNDP, the Board had also qualified its audit opinion in respect of unreconciled bank balances. UNDP has informed the Board that it has since reconciled and resolved $10.4 million of the $11.1 million unreconciled amounts as reported in the Board's report on the financial period ended 31 December 1999. The Board will review the progress made during its interim audit in the first part of 2001.

6. The Board trusts that these comments will assist the General Assembly in finalizing action on the financial statements of UNDP, UNFPA and UNDCP for the biennium ended 31 December 1999.

(Signed) Guillermo N. Carague
Chairman, Philippine Commission on Audit

(Signed) Shahid A. Bashir
Auditor-General of the Republic of South Africa

(Signed) Sir John Bourn
Comptroller and Auditor General
of the United Kingdom of Great Britain
and Northern Ireland

United Nations A/55/821–S/2001/193

General Assembly
Security Council

Distr.: General
6 March 2001

Original: English

General Assembly
Fifty-fifth session
Agenda item 164
Measures to eliminate international terrorism

Security Council
Fifty-sixth year

Letter dated 5 March 2001 from the Permanent Representative of Israel to the United Nations addressed to the Secretary-General

I wish to draw your attention to a heinous act of terrorism perpetrated by a suicide bomber this past Sunday in the Israeli city of Netanya.

Shortly before 9 a.m. local time, a Palestinian terrorist attempted to board a city bus at an intersection in central Netanya. When the driver refused to open the doors, the terrorist crossed the street, entered a crowd of people and detonated the bomb. Three Israelis were killed in the blast: Mr. Naphtali Din, age 85, Ms. Shulamit Ziv, age 58, and Ms. Yevgenya Malchin, age 70. Approximately 50 others were injured and, as of last night, 19 remained hospitalized. This was the third such explosion in Netanya in less than a year and a half.

In response to the attack, the spokesperson for the terrorist organization Hamas called the bombing a "courageous act" and said that all Palestinians are standing together in defence of their land.

Sunday's bombing is merely the latest in an escalating series of terrorist attacks, which have included drive-by shootings, bombings of public places, abductions and murders. These incidents have been detailed in a number of letters addressed to you, most recently my letters dated 14 February 2001 (A/55/787-S/2001/137); 13 February 2001 (A/55/781-S/2001/132); 2 February 2001 (A/55/762-S/2001/103); 25 January 2001 (A/55/748-S/2001/81); 23 January 2001 (A/55/742-S/2001/71); 28 December 2000 (A/55/719-S/2000/1252); 22 November 2000 (A/55/641-S/2000/1114); 20 November 2000 (A/55/634-S/2000/1108); and 2 November 2000 (A/55/540-S/2000/1065).

The Palestinian leadership continues to avoid taking the necessary steps that could halt the violence and terrorism directed against Israel. Rather than acting to control terrorism, the Palestinian leadership has actively encouraged this behaviour, mainly through the release of convicted terrorist prisoners, who now enjoy complete freedom of movement within the Palestinian territories. Such conduct stands in stark contrast to Chairman Yassir Arafat's signed commitment of 9 September 1993, in

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which he renounced the use of violence and resolved to ensure the compliance of all elements and personnel under his authority with this principle.

Chairman Arafat's failure to abide by this commitment has directly contributed to the outbreak of violence and to the proliferation of terrorist attacks in recent months. Israel again calls upon the Palestinian leadership to abide by its written commitments to halt all violence directed against Israeli soldiers and civilians.

I should be grateful if you would arrange to have the present letter circulated as a document of the General Assembly, under agenda item 164, and of the Security Council.

(*Signed*) Yehuda **Lancry**
Permanent Representative

United Nations A/55/822–S/2001/192

General Assembly
Security Council

Distr.: General
6 March 2001

Original: English

General Assembly
Fifty-fifth session
Agenda item 46
The situation in Afghanistan and its implications for international peace and security

Security Council
Fifty-sixth year

Identical letters dated 4 March 2001 from the Chargé d'affaires a.i. of the Permanent Mission of Qatar to the United Nations addressed to the President of the General Assembly, the Secretary-General and the President of the Security Council

I have the honour to transmit to you herewith a statement of the Ministry of Foreign Affairs of the State of Qatar, in its capacity as current Chairman of the Ninth Islamic Summit Conference, on the Afghan Government's reported decision to destroy some historic monuments in Afghanistan (see annex).

I should be grateful if you would have the present letter and its annex circulated as a document of the General Assembly under agenda item 46, and of the Security Council.

(*Signed*) Adel Ali **Al-Khal**
Chargé d'affaires a.i.

01-27372 (E) 060301

Annex to the identical letters dated 4 March 2001 from the Chargé d'affaires a.i. of the Permanent Mission of Qatar to the United Nations addressed to the President of the General Assembly, the Secretary-General and the President of the Security Council

[Original: Arabic]

An authoritative source in the Ministry of Foreign Affairs has announced that the State of Qatar, in its capacity as current Chairman of the Organization of the Islamic Conference, has received appeals from numerous parties concerning the decision of the Taliban to destroy certain antiquities located in Afghanistan.

The State of Qatar is of the view that, regardless of their location, these antiquities are the property of all mankind and must be preserved. It therefore appeals to those concerned in Afghanistan to reconsider this decision.

United Nations A/55/823–S/2001/197

General Assembly
Security Council

Distr.: General
7 March 2001

Original: English

General Assembly
Fifty-fifth session
Agenda items 33, 40 and 164

Culture of peace

The situation in the Middle East

Measures to eliminate international terrorism

Security Council
Fifty-sixth year

Letter dated 6 March 2001 from the Permanent Representative of Israel to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith the exchange of letters between Yitzhak Rabin, Prime Minister of Israel, and Yassir Arafat, Chairman of the Executive Committee of the Palestine Liberation Organization, dated 9 September 1993. In the light of the recent violence and terrorism, the commitments entailed in these letters, and their importance to the success of the peace process, deserve special attention.

Chairman Arafat's letter explicitly stated the fundamental undertakings of the Palestinian leadership to renounce the use of violence and terrorism and accept the path of negotiation as the only means for resolving outstanding issues. Specifically, Chairman Arafat wrote:

> The PLO recognizes the right of the State of Israel to exist in peace and security ... The PLO commits itself to the Middle East peace process, and to a peaceful resolution of the conflict between the two sides and declares that all outstanding issues relating to permanent status will be resolved through negotiations ... the PLO renounces the use of terrorism and other acts of violence and will assume responsibility over all PLO elements and personnel in order to assure their compliance, prevent violations and discipline violators.

It was in response to these cardinal undertakings that the Government of Israel recognized the PLO as the legitimate representative of the Palestinian people and agreed to formally negotiate with it in the context of the Middle East peace process.

These letters of mutual recognition, to which we have often referred in previous letters addressed to you, and which were exchanged just prior to the signing of the Declaration of Principles in September 1993, constitute the underlying basis of the Israeli-Palestinian peace process and of all subsequent agreements concluded between Israel and the Palestinian side. As such, any violation of the commitments contained in these letters undermines the very

01-27614 (E) 070301

foundation of the peace process and imperils the achievement of its noble objectives.

Over the past several months, I have drawn your attention to a rising tide of serious violations of the commitment to non-violence and peaceful negotiations enshrined in Chairman Arafat's letter. The wave of terrorist attacks to which Israeli soldiers and civilians have been subjected has been detailed in a series of letters, most recently in my letters dated 2 March 2001 (A/55/819-S/2001/187), 14 February 2001 (A/55/787-S/2001/137), 13 February 2001 (A/55/781-S/2001/132), 2 February 2001 (A/55/762-S/2001/103), 25 January 2001 (A/55/748-S/2001/81), 23 January 2001 (A/55/742-S/2001/71), 28 December 2000 (A/55/719-S/2000/1252), 22 November 2000 (A/55/641-S/2000/1114), 20 November 2000 (A/55/634-S/2000/1108) and 2 November 2000 (A/55/540-S/2000/1065).

The ongoing live-fire attacks against Israelis, of which there have now been over 3,000 incidents, are actively supported by the Palestinian leadership. This policy, coupled with the relentless incitement and delegitimization of Israel in the Palestinian media and educational institutions, strikes at the very heart of the peace process and severely undermines any prospect of genuine reconciliation and peaceful coexistence.

Israel again calls upon the Palestinian leadership to abide by its commitments, as stated in the attached letter and in subsequent agreements, to adhere to the principle of non-violence, to control terrorist elements in the territory under its control, and to foster an environment conducive to the resumption of peaceful negotiations.

I should be grateful if you would arrange to have the text of this letter, as well as of the attached letters, circulated as a document of the General Assembly, under agenda items 33, 40 and 164, and of the Security Council.

(*Signed*) Yehuda **Lancry**
Permanent Representative

Attachment 1

September 9, 1993

Mr. Prime Minister,

The signing of the Declaration of Principles marks a new era in the history of the Middle East. In firm conviction thereof, I would like to confirm the following PLO commitments:

The PLO recognizes the right of the State of Israel to exist in peace and security.

The PLO accepts United Nations Security Council Resolutions 242 and 338.

The PLO commits itself to the Middle East peace process, and to a peaceful resolution of the conflict between the two sides and declares that all outstanding issues relating to permanent status will be resolved through negotiations.

The PLO considers that the signing of the Declaration of Principles constitutes a historic event, inaugurating a new epoch of peaceful coexistence, free from violence and all other acts which endanger peace and stability. Accordingly, the PLO renounces the use of terrorism and other acts of violence and will assume responsibility over all PLO elements and personnel in order to assure their compliance, prevent violations and discipline violators.

In view of the promise of a new era and the signing of the Declaration of Principles and based on Palestinian acceptance of Security Council Resolutions 242 and 338, the PLO affirms that those articles of the Palestinian Covenant which deny Israel's right to exist, and the provisions of the Covenant which are inconsistent with the commitments of this letter are now inoperative and no longer valid. Consequently, the PLO undertakes to submit to the Palestinian National Council for formal approval the necessary changes in regard to the Palestinian Covenant.

Sincerely,

Yasser Arafat
Chairman
The Palestine Liberation Organization

9 / 9 / 93

Yitzhak Rabin
Prime Minister of Israel

Attachment 2

September 9, 1993

Mr. Chairman,

In response to your letter of September 9, 1993, I wish to confirm to you that, in light of the PLO commitments included in your letter, the Government of Israel has decided to recognize the PLO as the representative of the Palestinian people and commence negotiations with the PLO within the Middle East peace process.

Sincerely,

Y. Rabin

Yitzhak Rabin
Prime Minister of Israel

10.9.93

Yasser Arafat
Chairman
The Palestinian Liberation Organization

United Nations A/55/824

General Assembly

Distr.: General
7 March 2001

Original: English

Fifty-fifth session
Agenda item 46
The situation in Afghanistan and its implications for international peace and security

Letter dated 6 March 2001 from the Permanent Representative of the Republic of Korea to the United Nations addressed to the President of the General Assembly

I have the honour to request you to circulate the enclosed messages dated 3 March 2001 from Kim Dae-jung, President of the Republic of Korea, addressed to you and the Secretary-General of the United Nations (see annexes), concerning the Taliban decree ordering the destruction of all Buddha statues within the Afghanistan territory, as a document of the General Assembly, under agenda item 46.

(*Signed*) **Sun** Joun-yung
Permanent Representative

01-27646 (E) 070301

Annex I to the letter dated 6 March 2001 from the Permanent Representative of the Republic of Korea to the United Nations addressed to the President of the General Assembly

I must convey to you my grave concern upon learning the news of the Taliban decree ordering the destruction of all Buddha statues within the Afghanistan territory.

Buddha statues in Afghanistan, including the great Bhamiyan Buddha statue, must be preserved as an irreplaceable cultural heritage of mankind. The Taliban leadership must immediately put an end to its systematic acts of destruction and take the necessary measures to protect this cultural heritage. As confirmed by the resolutions of the United Nations General Assembly and the Security Council, Afghanistan's cultural and historical heritage must be respected.

I call on you to take all measures within the competence of the United Nations to keep Afghanistan's cultural relics, constituting a common cultural heritage of mankind, from being devastated. My Government and I will fully participate in the efforts of the international community to protect the common heritage of mankind.

(*Signed*) **Kim** Dae-jung
President
Republic of Korea

His Excellency
Harri Holkeri
President of the General Assembly
United Nations

cc: Mr. Volodymyr Yu. Yel'chenko, President of the Security Council,
United Nations

Annex II to the letter dated 6 March 2001 from the Permanent Representative of the Republic of Korea to the United Nations addressed to the President of the General Assembly

3 March 2001

I must convey to you my grave concern upon learning the news of the Taliban decree ordering the destruction of all Buddha statues within the Afghanistan territory.

Buddha statues in Afghanistan, including the great Bhamiyan Buddha statue, must be preserved as an irreplaceable cultural heritage of mankind. The Taliban leadership must immediately put an end to its systematic acts of destruction and take the necessary measures to protect this cultural heritage. As confirmed by the resolutions of the United Nations General Assembly and the Security Council, Afghanistan's cultural and historical heritage must be respected.

You can be assured of my wholehearted support for the measures you and UNESCO have already taken to protect the cultural heritage in Afghanistan, and I wish to call on you to urgently take all measures within the competence of the United Nations to keep this cultural heritage from being devastated.

My Government and I will fully participate in the efforts of the international community to protect the common heritage of mankind.

(*Signed*) **Kim** Dae-jung
President
Republic of Korea

His Excellency
Kofi Annan
Secretary-General
United Nations

cc: Mr. Koichiro Matsuura, Director-General, UNESCO

United Nations A/55/825

General Assembly

Distr.: General
7 March 2001
English
Original: French

Fifty-fifth session
Agenda item 114
Human rights questions

Letter dated 7 March 2001 from the Chargé d'affaires a.i. of the Permanent Mission of Côte d'Ivoire to the United Nations addressed to the Secretary-General

Since 24 December 1999, a methodical and sustained campaign of disinformation has created confusion and misunderstandings in the international community with regard to the current situation in Côte d'Ivoire.

Accordingly, on instructions from my Government, I have the honour to request that you have the text of this letter and its annex circulated as a document of the General Assembly under agenda item 114.

(*Signed*) Noël-Emmanuel **Ahipeaud Guebo**
Chargé d'affaires a.i.

01-27800 (E) 120301 120301

Annex to the letter dated 7 March 2001 from the Chargé d'affaires a.i. of the Permanent Mission of Côte d'Ivoire to the United Nations addressed to the Secretary-General

On 24 December 1999, 39 years after it became a sovereign State, Côte d'Ivoire experienced, for the first time in its history, an institutional change that did not result from an election.

After that date, the country underwent an extremely difficult transition that culminated on 26 October 2000, when the first President of the second (reorganized) Republic, Mr. Laurent Gbagbo, was sworn in before an assemblage of national personalities and international observers.

Since then, republican institutions, including, as mentioned above, the President of the Republic and a Government consisting of 28 Ministers and a National Assembly of 223 Deputies, have been in place and have been functioning normally.

Transition, which is defined as "the process of changing from one state or condition to another", is considered an exceptional situation; it represents the opposite of normality. Thus, in an exceptional situation, exceptional events will take place; the case of Côte d'Ivoire has not belied this assertion.

Nevertheless, Côte d'Ivoire, which for 39 years had been considered an integrated, open, sui generis democracy, was suddenly, because of difficult circumstances which, it might be added, lasted for only one year, exposed to contempt and considered an exclusionary, xenophobic country that continually violated human rights.

The Government of President Laurent Gbagbo has been further — and retroactively — besmirched by accusations that it was responsible for situations and acts, including some very distressing ones, which preceded it, and has become the victim of a cleverly orchestrated and perpetrated media lynching designed to demonize the country forever in the eyes of its friends, of investors and, in sum, of the whole international community, for political ends.

The Ivorian people cannot but protest such a lack of good faith, since the truth of the matter is completely different.

Indeed, the history of African independence had already predestined Côte d'Ivoire to be a country of openness: it was part of French West Africa, which included countries such as Upper Volta (Burkina Faso), Mali, Guinea and Senegal. An Ivorian civil servant might just as well have been assigned to Dakar, Conakry or Ouagadougou to perform his functions. Likewise, a Senegalese might have been assigned to the Abidjan postal, telephone and telecommunication service. Many family ties which now cross national boundaries were formed in the framework of this French West African dynamic, which naturally characterized the liberation struggle.

Aware that strength lies in unity, the leaders of the Rassemblement Démocratique Africain, in this case Felix Houphouet Boigny, understood that it would be suicide to fight in isolation. Consequently, the Rassemblement Démocratique Africain established sections in all the countries concerned, which fought without regard to national boundaries, the demarcation of which, by the 1885 Berlin Act, is considered arbitrary, although, for reasons of political realism and in order to avoid destabilizing the continent, this demarcation was confirmed by the Organization of African Unity.

Côte d'Ivoire became independent on 7 August 1960.

Aware of the importance of openness to a country, from the first hours of its independence, Côte d'Ivoire included this concept in two State symbols: the national motto and the national anthem. Indeed, the first word of the national motto is "union", meaning union within the country, African union and union with all the other countries of the international community.

The national anthem shows that the country's doors are open to all people of goodwill, from wherever they may come, by proclaiming Côte d'Ivoire the "country of hospitality".

Since 7 August 1960, Côte d'Ivoire has been, if not the only, at least one of the few countries in the world whose successive Governments have included Ministers (who are still alive today) from Senegal, Burkina Faso and Mali. They are, respectively, Mr. Amadou Thiam, Mr. Abdoulaye Sawadogo and Mr. Mohammed Diawara. Currently in retirement in Senegal, Mr. Amadou Thiam was, for many years,

Ambassador Extraordinary and Plenipotentiary of the Republic of Côte d'Ivoire to the Kingdom of Morocco.

Thus, the political history of Côte d'Ivoire, on the one hand, but also Ivorian law, on the other, amply demonstrate that the presumption of a link between Ivorian nationality and the occupation of a ministerial post in that country does not exist and is fundamentally reductive.

Since 7 August 1960, Côte d'Ivoire has prided itself on welcoming, to Ivorian soil, nationals of all its sister countries of the region, among others. It is pleased and proud to host, at the present time:

- Three million of its brothers from Burkina Faso;
- Two million of its brothers from Mali;
- One million of its brothers from Senegal;
- Five hundred thousand of its brothers from the Niger;
- Five hundred thousand of its brothers from Guinea;
- Five hundred thousand of its brothers from other African countries.

It is well known that 35 per cent of the Ivorian population consists of foreign nationals.

No country in which 35 per cent of the inhabitants are foreigners can reasonably be accused of xenophobia and exclusionism, except out of a lack of good faith.

It must be acknowledged that the situation has gone well beyond the threshold of tolerance, since, at this rate, Ivorians will end up as foreigners in their own country. Nonetheless, they continue to live on good terms with their foreign brothers.

These foreign brothers play an undeniable role in the Ivorian economy, as shown by the following examples, to name only a few:

- The fish and meat industry is monopolized by nationals of Mali, Senegal and the Niger;
- Transport is in the hands of the Malians, Guineans and Lebanese;
- Cabinetmaking is practised almost exclusively by the Togolese, Ghanaians and Beninese;
- Small neighbourhood businesses and redistribution are carried on by the Nigerians, Lebanese, Mauritanians and others;
- Our brothers from Burkina Faso are very widely established in the agricultural sector.

This situation is in no way offensive to Ivorians. However, in connection with the highest function of the State, the sovereign people of Côte d'Ivoire, in the constitutional referendum of 23 July 2000, decisively closed the debate on the question of candidates' nationality by 86.53 per cent of the votes cast, with a participation rate of 55.05 per cent.

In this regard, it should be noted in passing that, in the presidential and legislative elections held in the last quarter of 2000, the Supreme Court of the State of Côte d'Ivoire did not deny Ivorian nationality to any candidate.

The highest jurisdiction of the State merely indicated, in its statement of reasons, that the questionable authenticity of the documents produced by some candidates in support of their applications for candidacy, as well as the contradictions discovered within each document and between different documents, made it impossible to establish with certainty the Ivorian nationality of those candidates. It was therefore the candidates' responsibility to produce documents which were free of all suspicion.

Drawing the lesson from many examples both at home and elsewhere in the world, notably in some Latin American countries, the sovereign people of Côte d'Ivoire has decided to guard against chameleon citizenship by reserving the country's highest office for a genuine son of the soil.

There is nothing new in this. Examples of it are plentiful.

Identifying the foreigners in its territory is neither xenophobia nor exclusion. It is the attitude of a responsible country that wishes to institute a clearly understood immigration policy in order to ensure the safety of property and persons, and then control migration flows, as well as population growth, in the context of rational development planning.

Inviting foreign nationals to stand aside from the national political debate, leaving it to Ivorians alone to elect the President of the Republic and the members of the National Assembly, has nothing to do with

xenophobia or exclusion. It stems from the application of the rule of international law relating to non-intervention in the internal affairs of States.

It is also a matter of the exercise of the right of peoples to self-determination, an essential aspect of which is the right of peoples to choose their leaders themselves, on their own. In short, it is the matter of the exercise of national sovereignty. All of these principles are recognized by the Charter of the United Nations as well as by the relevant resolutions of the General Assembly.

All Ivorians living abroad show strict respect for these principles. Reciprocity is a rule of international law.

In the past, it was asserted that Muslims in Côte d'Ivoire were persecuted, and hence excluded from public life.

Once again, nothing could be further from the truth.

In fact, and this should be emphasized here, it was at the start of the 1990s, in the time of President Houphouet Boigny, that Mr. Laurent Gbagbo, then President of the Front populaire ivoirien, allowed the opening of an embassy of Côte d'Ivoire in Saudi Arabia, "in order to help our Muslim brothers", as he said. The then political activist, today President of the Republic of Côte d'Ivoire, has remained constant in this conviction. The building of the Ivorian nation forms part of his Government's programme, and the Government's composition is in conformity with this conviction, in that it is made up people of all faiths. It should be noted in passing that the person occupying the second highest post in the Ivorian State, the President of the National Assembly, Mr. Mamadou Coulibaly, is a Muslim.

In the context of the presidential and legislative elections, the files of a very large number of non-Muslim candidates were rejected. The files rejected by the Supreme Court were rejected for defects of form or substance, in accordance with the Constitution or the electoral law, with no reference to the religion practised by the candidate in question.

After 38 years of good understanding between Ivorian Muslims and their brothers of other faiths, why in the space of one year should Muslims be suddenly persecuted?

The truth is that the introduction of the religious virus into Ivorian political debate is the result of an unsavoury political manipulation the secret of which is known only to those who wish to reign over ashes.

Muslims are not and will not be persecuted in Côte d'Ivoire. Côte d'Ivoire is a pluralistic nation.

After the Muslims, this information is once again circulating rumours that people from Burkina Faso are also persecuted in Côte d'Ivoire.

Linked by history and geography, Burkina Faso and Côte d'Ivoire had no choice but to live together and understand one another. Thus it is not fair to assert that people from Burkina Faso are persecuted in Côte d'Ivoire. This entire situation, which in fact, it must be emphasized in the cause of being successfully resolved, results from a genuine misunderstanding.

When at the very outset of the two countries' independence our brothers from the then Upper Volta arrived in what was then the Ivory Coast, they benefited from the great generosity of their Ivorian hosts, who lent them plots of cultivable land. Our guests kept this land for a number of years, and ended up concluding that they had become its owners.

In Côte d'Ivoire, however, land, which is governed by customary law, belongs to the village families, and is absolutely non-transferable. This right of land ownership is inprescriptible.

Since the end of the 1980s, Ivory Coast has been hard-hit by the economic crisis, with its accompanying casualties.

Under the circumstances, for those who could no longer continue their studies or were unable to find a job, returning to their land was the alternative solution strongly encouraged by the Government.

It was then that misunderstandings arose between the people from Burkina Faso who believed that they owned the land they had been cultivating for a number of years and the Ivorian owners now want to let their heirs till the land for the benefit of the families that owned it.

The problem is thus fundamentally socio-economic, and in no way a matter of the xenophobic harassment some people are presenting it as. In addition, it must be emphasized that in many regions the issue of land ownership has given rise to the same misunderstandings and the same difficulties among

Ivorians themselves, and has led to clashes, but without provoking any general outcry.

In any event, the Government has set up a commission to work for reconciliation.

Côte d'Ivoire is very committed to and very respectful of human rights.

In the fifth preambular paragraph of the Constitution, it:

> "Proclaims its adherence to the rights and freedoms defined in the Universal Declaration of Human Rights of 1948 and in the African Charter of Human and People's Rights of 1981".

Article 2 provides that:

> "The human person is sacred.
>
> "All human beings are born free and equal before the law. They enjoy inalienable rights, namely the right to life, to freedom, to the development of their personality and to respect for their dignity.
>
> "The rights of the human person are inviolable. The public authorities have the obligation to ensure their respect, protection and promotion.
>
> "Any penalty entailing the loss of human life is prohibited."

It is thus apparent that in Côte d'Ivoire capital punishment is prohibited by the basic law.

A country that did not respect human rights could not have such provisions in its Constitution.

And again, in the programme for society, as in the programme of President Laurent Gbagbo's socialist Government, respect for human rights occupies a leading place; man remains the centre of the concerns of Government activity.

It was for this reason that, following the painful events that cast a tragic shadow over Côte d'Ivoire, the Government:

(a) Proclaimed a day of the matters of the transition;

(b) Decided to put up a monument to the martyrs of the transition;

(c) Still more, ordered inquiries chose to bring the truth to light and punish those who were truly guilty of excesses. These inquiries, which will last as long as they need to, are under way, with the participation of a number of international observers and non-governmental organizations.

Is this the attitude of a country :hat flouts human rights? We do not think so.

In any event, responsibility, whether individual or that of a State, can be attributed only to the perpetrator of the act in question. No one may be accused or tried for an act he did not commit.

The Government of the second Republic of Côte d'Ivoire cannot be placed on the index for acts committed prior to the time when it assumed office.

The three series of measures referred to above were taken by the Government not because it is guilty, but on the one hand out of conviction and on the other hand in order to assume and ensure the continuity of the State. That should be understood. Is the Government of the Republic of Côte d'Ivoire, in the name of human rights, to sabotage itself by violating the laws it has enacted for itself, in order to allow anarchy to take hold, thus reverting to the vicious circle of the absence of a State that is conducive precisely to inappropriate action and to human rights violations, violations which later it will once again be blamed for?

Not to mention that it would in the end be charged with weakness.

Côte d'Ivoire is governed.

- Enacting laws is a dimension of human rights.
- Ensuring security of the citizens by creating an environment of peace conducive to the all-round development of the individual is a dimension of human rights.
- The citizen's duty to obey his country's laws is a counterpart to and a dimension of human rights.
- The citizen's duty to abide by the verdict of the majority is a counterpart to and a dimension of human rights.

Upon analysis, it must be pointed out that finally, the concept of "human rights" should be treated with the greatest parsimony, for it has a number of facets. It is not unilateral. The concept of "human rights" is dual.

It relates to both the individual and the State. It is at the same time a right and a duty.

Côte d'Ivoire is a democratic State that respects human and citizen's rights. It is at a sensitive turning point in its history. Without major financial resources and simultaneously, it has to take up the challenges called for by hunger, employment, health, AIDS, education, the degradation of the environment, etc. Côte d'Ivoire wishes to reconcile itself with the international community and resume its place in the concert of nations. The time for condemnation, which moreover was unjustified, has passed.

More than ever, this country, the motor of the West African subregion, wishes to be able to count on the understanding and contribution of its friends, of donors including the Bretton Woods institutions, the Club of Paris, and the G-8 of donors and, in short, of international cooperation.

(*Signed*) Noël-Emmanuel **Ahipeaud Guebo**
Chargé d'affaires a.i.